

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

15-CR-149-RJA

CHITRA SELVARAJ,

Defendant.

**STATEMENT OF THE GOVERNMENT
WITH RESPECT TO SENTENCING FACTORS**

The government adopts the findings of the Presentence Report with respect to sentencing factors, except as to ¶ 97, which concludes that the maximum fine recommended by the Sentencing Guidelines is \$30,000. *Compare* Plea Agreement ¶ 10 (concluding that maximum fine range is \$25,000). Pursuant to *United States v. Lawlor*, 168 F.3d 633 (2d Cir. 1999), the government may not seek a higher fine than the one set forth in the plea agreement. (The government, however, does not intend to advocate for a fine, regardless of the applicable maximum.) The government otherwise adopts the findings of the PSR.

Should the defendant present any letters of support or sentencing statement to the Court, the United States will move to strike the items from the record if this office is not provided with copies at least three business days prior to sentencing.

The defendant is required by 18 U.S.C. § 3013 to pay the sum of \$25 at the time of sentencing. Immediately after sentencing, the defendant must pay the amount due by personal check, cashier's check or certified funds to the United States District Court Clerk.

The government requests that the Court order that all financial obligations be due immediately. In the event the defendant lacks the ability to immediately pay the financial obligations in full, it is requested that the Court set a schedule for payment of the obligations.

If present counsel will continue to represent the defendant after sentencing in regard to the collection of unpaid financial obligation(s), it is requested that a letter so advising be sent to:

Asset Recovery Division
U.S. Attorney's Office WDNY
138 Delaware Avenue
Buffalo, New York 14202

If a letter is not received within ten days of sentencing, the defendant will be directly contacted regarding collection of the financial obligation(s).

DATED: Buffalo, New York, April 27, 2023

TRINI E. ROSS
United States Attorney

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